



# Race

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## Chapter 18

### Race

#### Tommie Shelby

Political philosophers study the basic ideas and values that have played or should play a central role in the political sphere. Reflecting on idea of “race” and the normative significance of race relations is therefore an essential part of the enterprise of political philosophy. The principal goal is to think systematically about whether, and if so how, race should figure in our evaluation of institutional arrangements and power relations, in our treatment of each other within civil society, and in our self-conceptions and group affiliations.

It is now a widely held conviction that a just society should embody the norms of “racial equality” and “antiracism.” However, these values admit a wide range of conflicting interpretations. Thus much of the philosophical work on race today strives to explain just what racial equality and antiracism mean. Do they simply mean that society should be (largely) free of racism and racial discrimination, and, if so, what constitutes “racism” and “racial discrimination”? Does being committed to these values mean that disadvantages caused by the history of racial domination and exploitation should be remedied, and if so, which ways of responding to this legacy are fair to all affected? Do racial equality and antiracism mean that society should be “colorblind,” and, if so, what would this involve? Do they entail ultimately abandoning the very idea of race, or can the concept, despite its known problems, somehow be salvaged and put to legitimate

political uses? These and related questions are what preoccupy political philosophers who think about race today.

## I. THE IDEA OF RACE

It is well known that the race concept has been used to justify gross forms of injustice: slavery, genocide, colonial subjugation and exploitation, forced segregation and arbitrary civic exclusion, and land and resource expropriation.<sup>1</sup> Regarding the continuing currency of the notion as inherently dangerous, some philosophers have attempted to undermine the very idea of race ([Appiah 1996](#); [Zack 2002](#); [Blum 2002](#), chs. 5–9). For them, antiracism involves debunking a widely held myth, an illusion that is the ideological lynchpin of racism—namely, that races are real.

These *racial skeptics* argue that the concept of race is intellectually bankrupt, for it necessarily entails several propositions that, given what biologists and anthropologists now know about human variation, are not true. In particular, they argue that the race concept, properly explicated, entails the following false claims: (a) There is an underlying essence or cluster of intrinsic properties, inherited through reproduction, that all members of a putative race share and that differentiates a race from all others (racial essentialism); (b) a person's race determines (to a significant degree) his or her aptitude, culture, or moral character (racial determinism); (c) there is a biological basis for rank ordering racial groupings from superior to inferior (natural racial hierarchy); and (d) interracial reproduction has deleterious biological consequences (miscegenation as

pathological). There is consensus that these four claims (sometimes called “classical racialism”) are false. Yet some philosophers do not believe that race is merely a myth. Despite its pernicious uses and the common confusions that surround it, they insist that “race” does identify a real, nontrivial, and valuable type of human variation.

The debate over the reality of race can take one deep into controversies in metaphysics, philosophy of language, and philosophy of science. Our concern here is with the race idea only insofar as it bears on basic political values and concepts. Still, it is useful to outline the main positions on this question.

As mentioned, the *skeptic* maintains that there is no meaningful sense in which races can be said to exist. “Race,” according to the skeptic, is a spurious category, equivalent to “witch” or “phlogiston.” Rejecting the skeptic’s claim, the *naturalist*, typically relying on population genetics, argues that there are in fact sound biological reasons to divide the human species into subspecies units called “races” ([Andreasen 1998](#); [Kitcher 1999](#); Kitcher 2007). Naturalists maintain that racial classification has (at least potentially) taxonomic or explanatory significance in biology. Though there are no racial essences and races are not natural kinds, races are *biological kinds*. Naturalists do not believe that interracial procreation is harmful, but they do believe that, largely because of geographical barriers (e.g., distance, deserts, mountains, and oceans), some populations have been reproductively isolated from other populations for very long periods and that, as a result, some populations manifest certain phenotypic traits at a greater or lesser frequency than other such populations. We can therefore think of a race as a

relatively inbred lineage of common geographical origin whose members are identifiable by their visible, inherited physical traits. One consequence of this approach is that “real races” do not correspond to, and in fact may undermine, our commonsense folk categories of racial classification (e.g., “black” and “white”).

*Social constructionists* hold that “race,” though perhaps lacking biological significance, is a meaningful *social* category that divides humans into subgroups for both illegitimate and legitimate social purposes ([Goldberg 1993](#); [Mills 1998](#), ch. 3; [Haslanger 2000](#); [Sundstrom 2002](#); P. C. [Taylor 2004](#)). On this view, “race” is not (or is no longer) fundamentally about biology but about social relations; races are (or have become) *social kinds*. The groups that we now call “races” were created by a set of historically specific and ever-changing social practices. Individuals now use familiar racial labels, such as “black” and “white,” for ascription and self-identification, and there are formal and informal norms that regulate this labeling. Such systems of classification are rule-governed and sustained by convention (sometimes by law), not determined by biology. “Race” is therefore an institutional construct, a social fact. Thus, in this sense, races are as real as the police or money.

Some argue that such metaphysical disputes distract from or obscure a deeper, underlying concern, which is actually *normative* ([Stubblefield 2005](#), ch. 2; [Mallon 2006](#)). Specifically, how should we deal with the troubling dimensions of the race idea while at the same time thinking cogently about and responding appropriately to matters of race? A number of philosophers have argued that we should not jettison the race idea but rather reconstruct it so that it no longer rests on falsehoods or morally suspect assumptions ([Outlaw 1996](#); [Haslanger 2000](#); [Root](#)

[2001](#); [Hardimon 2003](#); P. C. [Taylor 2004](#); [Glasgow 2009](#)). This would free the race concept for use within antidiscrimination law, for identity construction and group affiliation, and for scientific and biomedical research. On this view, “race” has necessary uses, for there are vital goals, including public ends, we cannot achieve without it. Others doubt this revisionist project could be successful and thus insist that everyone should stop using the race idea, as it is inherently dangerous, cannot be reformed, and causes more harm than good; alternative concepts (e.g., “racial identities” or “racialized groups”) should be used to designate the relevant social groups ([Appiah 1996](#); [Blum 2002](#)).

## II. RACISM

The contemporary debate about racism centers on two questions: What is racism, and what is it about racism that makes it wrong? A number of accounts treat racism as, broadly speaking, a state of mind. Some of these theories focus on certain *beliefs*, the specific content of which is said to make them racist ([Appiah 1990](#); [Skillen 1993](#); [Shelby 2003](#)). For example, [Appiah \(1990\)](#) has suggested that racism is the belief that race is a morally relevant distinction, a legitimate basis for treating people differently. He distinguishes between *extrinsic* racism and *intrinsic* racism. Extrinsic racists believe that race is morally relevant because they believe that a person’s race determines traits and tendencies (e.g., honesty, laziness, or intelligence) that are morally acceptable bases for differential treatment. Intrinsic racists believe that the mere fact that two persons are of different races is (or at least can be) a legitimate

reason for preferring one to the other, quite apart from any further morally relevant characteristics that their race might signify.

For Appiah (1990), both forms of racism rest on *cognitive errors*—the false belief that there are racial essences that determine morally relevant traits and the invalid inference that race, in itself, justifies partiality. However, he claims that most racists are not simply mistaken but *irrational*. Their judgment has been so deformed that they are incapable of seeing their errors, blindly resisting all evidence that contradicts their racist beliefs and thus demonstrating that these beliefs are mere *prejudice* and rooted in rationalization (sometimes called “false consciousness”). The source of this deformation, generally unrecognized by the subject, is typically the fact that the subject is personally invested in viewing the world in racist terms, because, for example, his sense of self-esteem depends on it or he is eager to secure advantages that racist beliefs seem to justify. This type of error-prone and irrational race-thinking arouses our moral concern primarily because, when such thinking is widespread, it so often leads to the oppression of the weak and vulnerable.

Another set of theories focuses less on belief and more on noncognitive mental states, such as desires, hopes, intentions, and fears (Gordon 1995; [Garcia 1996](#); [Schmid 1996](#); [Blum 2002](#)). For example, [Garcia \(1996\)](#) argues that racism is, fundamentally, vicious race-based disregard for the welfare of certain people. Its central and most troubling form is race-based hatred, ill will, or hostility. Milder forms of racism involve not quite malice but disrespect or insufficient concern for people assigned to certain racial groupings. On this view, racism is not primarily a problem of cognition or rationality. Racism, on Garcia’s view, is inherently immoral,

but holding a particular belief, no matter how wrongheaded or irrationally held, is not, in itself, immoral. A particular belief is racist, then, not because of its content but because it is rooted in or rationalizes racial hostility. What makes racism wrong is that it is a failure to give others the respect and goodwill they are owed.

Thinking of racism as a mental state—whether cognitive, affective, or conative—raises questions about the relation between racism and the unconscious mind (see [Lawrence 1987](#); [Krieger 1995](#); and [Levine and Pataki 2004](#)). We are susceptible to perceiving the world in ways of which we are unaware; our motives can be opaque to us; we sometimes harbor unacknowledged feelings; and self-deception is ubiquitous. So it is possible, indeed likely, that racist mental states are sometimes unconscious, which raises the difficult but understudied question of how to morally assess implicit racial bias and unconscious prejudice in subjects who sincerely and explicitly disavow racist attitudes (Kelly and Roedder 2008; and Faucher and Machery 2009).

A natural way to think about racist *actions* is to view them as behavior animated by a racist state of mind, and so, one does something racist when the action stems from racist beliefs or sentiments ([Garcia 1996](#); [Blum 2002](#); [Arthur 2007](#)). Extending this idea, some argue that *institutional racism* occurs when racist beliefs or sentiments affect the decision making of individuals who craft and execute the policies of an institution ([Wasserstrom 1976](#)). Though the context of action is within an institution, the target of moral appraisal is still the individual.



But some question this focus on individuals and their mental states in accounts of institutional racism. These thinkers, sometimes operating within a consequentialist framework, insist that an institution's policies can be racist solely in virtue of their effects. For example, [Ezorsky \(1991\)](#) distinguishes between overt racism and institutional racism. Overt racism is a harmful action undertaken because of the agent's racial prejudice against the victim or because the agent is accommodating the racial prejudice of others. Institutional racism, on the other hand, occurs when an institution employs a policy that is race-neutral in content but nevertheless has a negative impact on an unfairly disadvantaged racial group. Those who make and apply the policies need not intend this result and may not themselves be racists. What is nonetheless wrong with the institution, according to Ezorsky, is that it perpetuates the effects of overt racism and encourages racist attitudes and stereotypes. The underlying idea is that some groups in society have already been disadvantaged by overt racism, and an institution that is not intrinsically racist may nevertheless effectively keep these groups in their disadvantaged condition, thus leading some to conclude that they occupy this low station because of the disadvantaged groups' culpable failings or inherent inferiority. Because the institution in question may not be responsible for the group's prior disadvantages, the racism with which it is implicated may be extrinsic to the institution itself. Nevertheless, considerations of basic fairness or corrective justice may justify seeking to mitigate these negative institutional effects by requiring particular institutions (e.g., schools or firms) to implement different policies.

While maintaining the focus on institutional failings rather than individual blameworthiness, a different approach to institutional racism focuses its appraisal on the *intrinsic* features of an institution rather than merely its external effects ([Shelby 2004](#)). We define an “institution” as a system of public roles and rules that enable and regulate cooperative action for some specified purpose. There are criteria for assigning persons to specific roles, and each role requires certain rules to be followed. An institution is not an abstract entity; it must be embodied by personnel that occupy official roles and make and administer policy. Given this conception of an institution, we can think of racism as attaching to at least three intrinsic features of institutions.

First, the *goals* of an institution might be racist—for example, to exterminate, subordinate, exploit, exclude, stigmatize, marginalize, or otherwise harm the members of a racial group. Such goals may be the purposes for which the institution was designed (though perhaps now long forgotten) or the aims of its current officials. These goals need not have been made explicit or public. The rules and role criteria may be (or appear to be) race-neutral in content but may nevertheless be designed to achieve or sustain the subjugation of some racial group. The institution need not be effective in achieving its goals yet be criticizable for its aims, and so institutional racism should not be evaluated solely in terms of the institution’s actual effects.

Second, racism can be a matter of the *content* of the rules and role criteria of an institution, where these rules and criteria contain racial bias or are racially discriminatory, unjustifiably favoring some racial groups over others. Those who

administer the rules and criteria need not themselves be racist for the institution to operate according to racist principles, and administrators need not perceive the racial bias inherent in the procedures they apply. (A more detailed discussion of racial discrimination appears in Section III.)

Finally, racism can be implicated in the *application* of institutional procedures. The goals of the institution may be legitimate; the content of the rules and role criteria, when viewed in the abstract, may be race-neutral and otherwise just. However, administrators may fail to impartially and consistently apply the institution's rules and criteria due to personal prejudice, whether conscious or unconscious. Whatever the substantive content of institutional procedures, formal justice demands evenhandedness in their application. Institutional racism occurs when this distorting effect of prejudice is pervasive, thus leading to the systematic violation of the formal requirements of justice.

Of course an institution can have all three of these features simultaneously—for example, the institutions that constituted the Jim Crow and Apartheid regimes. However, the point of the concept of institutional racism is to take account of the fact that racial hierarchy and inequality can be systematically reproduced in the absence of explicit racist rules and overt racial animus.

### III. RACIAL DISCRIMINATION AND SOCIAL JUSTICE

As with racism, there is much disagreement about what racial discrimination is and what makes it unjust. Today most people use the label “discrimination” to criticize particular actions or policies on moral or legal grounds. It is analytically useful,

however, to classify certain actions or policies as discrimination without thereby assuming or implying that everything that falls into this category is impermissible or wrong, only then to go on to ask which actions or policies in the category are objectionable (i.e., “wrongful discrimination”) and why. Taking this approach, we should next note that discrimination necessarily involves but is more than judging two persons or two groups to be different (e.g., with respect to race, gender, or nationality) or valuing one type of person over another (e.g., the industrious over the lazy). The distinction or preference must also function (at least implicitly) as basis for treating people differently (leaving aside, for the moment, whether the basis is sound). Discriminatory actions and policies favor some over others or benefit some while burdening others based on some distinction or preference. Not all such discrimination is morally wrong. Hiring as surgeons only those with steady hands is perfectly permissible even though it discriminates against those with shaky hands. Moreover, there is wrongful discrimination that should not be prohibited by law. The refusal to befriend someone simply because of that person’s race is wrongful discrimination, but it would be illegitimate to legally proscribe it. Political philosophers are largely concerned with identifying wrongful forms of discrimination that entail injustice or rights violations and thus are legitimately prohibited by government action. So when is discrimination based on race unjust and thus permissibly proscribed?

An influential view is that race-based discrimination is *always* unjust because it is a violation of the principle of *colorblindness*, which holds that race should never be a consideration in determining how government institutions treat persons

regardless of the purpose or rationale behind such race-conscious measures. This principle is straightforward and easy to apply, but its validity is far from self-evident. What might justify it?

One argument is this: Race, as we have learned from history, is an invidious social distinction, so dangerous and divisive that the state, given its power, should be forbidden from using racial classification in policy and law and perhaps should be granted the authority to restrict the use of racial distinctions by private firms and institutions. Here, racial discrimination is considered unjust because of its propensity to produce negative social consequences (e.g., to sow social discord or to reduce human welfare). There is no doubt that treating people differently because of their race often causes great harm and can be a source of strife. For this reason some argue that it is legitimate to protect stigmatized and disadvantaged racial groups from further harm and abuse by restricting the use of race-based distinctions in certain contexts (e.g., in employment and policing), even when such use is not motivated by racial prejudice ([Fiss 1976](#); [Sunstein 1994](#)).

But is the state's use of racial distinctions unjust no matter the purpose or context? As has been mentioned earlier and will be discussed further below, there are good reasons to doubt this. Yet, even if we were to grant that, on grounds of general welfare and administrative efficiency, the state should never treat people differently because of their race, there is still the popular idea that all racial discrimination is *intrinsically* unjust, that people have a *right* not to have their race considered in public decision making. Can the colorblind principle make sense of this idea?

One approach is to argue that persons are not to be treated as representatives of their race but rather as individual persons. There are no group rights—only rights of individuals to equal treatment. However, the use of classifications and generalizations in law and public policy is ubiquitous, absolutely necessary, and entirely legitimate. Imagine trying to make policy or laws without relying on broad categories such as “persons over the age of  $y$ ” or “persons who scored at least  $z$  on the exam.” These classifications treat persons “as individuals” no more than racial classifications; and they do not presuppose that groups rather than individuals have rights.

A different approach is to argue that public institutions should not advantage or disadvantage persons because of traits they possess for which they are not responsible. One’s relative life prospects should depend solely on one’s choices and effort. Because an individual’s race, whether understood as a biological or social difference, is an immutable characteristic that the individual is not responsible for having, the state should not allow it to affect the person’s relative life chances.

Boxill (1992 12–18) has objected to this argument on the grounds that, while perhaps one’s *overall* life prospects (measured by, say, resources or welfare) should not be hampered by traits one is not responsible for, many opportunities, goods, and services are legitimately given to some persons and denied to others because of traits for which they are not responsible. For example, some people are given certain desirable jobs because of their intelligence or height. If such traits allow those who possess them to provide important goods and services, then it is not unjust to prefer them for certain jobs despite the fact that they are not responsible

for these traits. Thus, just because no one is responsible for his or her race, it does not follow that race should never be a consideration in how a person should be treated.<sup>2</sup>

A different account of wrongful racial discrimination, one that does not rely on or attempt to justify the colorblind principle, focuses on *moral status*. On this account, racial discrimination is unjust when it treats race as relevant to basic human worth or moral standing (Boxill 1992 17; [Piper 1993](#); [Alexander 1992](#), 158–63; [Hellman 2008](#); 34–58). Racial discrimination thus violates the principle that because all persons have inherent and equal moral worth, they should be treated with equal respect. A similar principle states that no one's interests should be treated as if they were less important than others' simply because of the person's race ([Singer 1978](#)).

No plausible political morality holds that the members of some particular race are moral inferiors or anything less than full moral persons. If public officials treat the members of a race differently because these officials regard them as due less than equal consideration on account of their race, this is surely unjust discrimination. The question is whether all unjust racially discriminatory treatment can be understood in this way.

Everyone is equal with respect to intrinsic worth or moral status. But individuals and groups do differ with respect to their needs and abilities, and such differences rightly bear on how they should be treated. From the fact that one is owed equal respect as a human being, it does not follow that one should in all

contexts be treated the same as others (e.g., with respect to the distribution of scarce resources, social services, and valued positions). It is consistent to believe that blacks, as human beings, are owed equal respect and yet to believe that they are naturally less competent than whites when it comes to performing tasks that require high intelligence. That is, a person might think that though blacks are not morally inferior, they are intellectually inferior, just not to a degree that justifies second-class citizenship or strong forms of paternalism.<sup>3</sup> There is a difference between having a right to be *treated as an equal* and having a right to be *treated equally* (i.e., the same as others) in all contexts and with respect to all goods, services, and opportunities.

Some argue that because all persons are owed equal respect, there is a standing presumption in favor of treating everyone equally unless there is a relevant difference between persons that rationally justifies differential treatment ([Williams 1962](#)). It is rational to give medicine to only those who are sick and jobs to only those competent to perform them, and so such differential treatment is consistent with equal respect for the sick and the healthy, the competent and the incompetent. But to grant suffrage rights to only those who are left-handed is to treat right-handed citizens without due respect. Such treatment is arbitrary, irrational, and unfair. Armed with this idea, one might argue that since race, as a matter of scientific fact, does not determine a person's needs or abilities, race is *always* an irrelevant characteristic, an immaterial criterion, for benefiting or burdening someone ([Baier 1978](#)).



However, things are not that simple. We cannot determine the relevance of a selection criterion without identifying the particular purposes the criterion is supposed to serve. Also, because a selection criterion might serve a policy's or an institution's purposes well but these purposes might include such things as exploiting a vulnerable race, we must also assess whether these purposes are legitimate. Thus a sound principle of differentiation must not only satisfy a condition of relevance—that is, the distinction must be rationally aligned with or likely to advance some policy or institutional goal—but the goal must be one that the discriminating agent is morally permitted or authorized to pursue.

Interestingly, this makes it an open question whether differential treatment based on race might sometimes be justified (e.g., if the goal is to increase racial diversity or integration in public schools), contrary to what some advocates of colorblindness suppose. In this connection, it is worth pointing out that the expression “discrimination on the basis on race” is often used ambiguously, and this ambiguity often obscures the morally relevant distinction between treating a person differently (e.g., denying her an important opportunity) on the grounds that she is a member of an inferior race and treating her differently (e.g., compensating her for an injustice she has suffered) on the grounds that she has been wronged because *others* believe she is a member of an inferior race. In both cases, the treatment differed “on the basis of race,” but the race-based considerations are rather different and the differences are morally important.<sup>4</sup>

With this analytical machinery in place, we might say, then, that differential treatment based on race (i.e., racial discrimination) is unjust when (a) it is based on

the presumption, perhaps implicit, that one race has inferior moral status to another or (b) it is not based on a relevant principle of differentiation that would further a legitimate end. Race-based discrimination that takes either of these forms is fundamentally unjust and intrinsically wrong ([Alexander 1992](#); [Blum 2002](#), 78–90).

Notice that this account of wrongful racial discrimination does not depend on the discriminator intentionally seeking to harm members of the disfavored racial group, nor, in the second form of discrimination, does it depend on the discriminator being a racist (i.e., having racist beliefs or sentiments). Yet when malicious intent or racial prejudice is the source of the unjust discrimination, this creates an additional wrong from which the law might seek to protect certain groups, particularly those socially salient groups who suffer because these attitudes are widespread. Some regard this wrong as an *expressive harm*, a form of stigmatizing, insulting, or demeaning others ([Woodruff 1976](#); [Blum 2002](#), 84–85). Some argue, however, that an expressive harm may occur even if the discriminator does not actually have malicious intent or prejudice toward those discriminated against; it is enough if a suitably informed and impartial observer, given who the discriminator is and the social context, would *interpret* the action as conveying such intentions, beliefs, or sentiments ([Arthur 2007](#), 30–33; [Hellman 2008](#), 59–85).

A final set of questions regarding racial discrimination involves three related issues. First, some discussions of racial discrimination invoke the idea of *meritocracy*. The main concern here is competition for jobs or job-related benefits (and perhaps admission to selective colleges). According to some, using racial distinctions in employment is a violation of meritocratic principles: It violates the

right of the best qualified to be selected for employment or promotion, for a person's race is never a form of merit or a qualification ([Goldman 1975](#)). Some argue against this widely held belief on the grounds that "merit" is a matter of how ability affects productivity or efficiency; it is not a matter of moral desert or justice per se ([Daniels 1978](#)). Merit claims are based on the fact that certain job-related abilities enhance productivity; thus, claims to hire the *best* qualified are only as strong as the obligation to increase productivity. Considerations of justice can override considerations of productivity. A different response is to argue that "race" can indeed be merit or a legitimate qualification ([Davis 1983](#); [Dworkin 1985](#), ch. 14). There is no set of abilities or traits that constitute merit as such; a person's abilities or traits constitute merit only insofar as they enable that person to provide valuable goods and services. If being black enables a doctor or police officer to garner the trust of those she serves and thereby perform her job better, then race qualifies as merit.

A second issue concerns *reaction qualifications* ([Singer 1978](#); [Wertheimer 1983](#); [Boxill 1992](#), 29–31; [Alexander 1992](#), 173–76). Here race is treated as a basis for discrimination, not because the employer is racist, partial to members of her own race, or arbitrary in her selection criteria, but because of the reactions of *others* to the race of her employees (as in the examples of the doctor and police officer just mentioned). The difficult question here is when reliance on reaction qualifications is consistent with racial justice. If one's customers do not want to be served by blacks, then it might hurt the profitability of one's business to hire blacks, and if this racist preference is sufficiently widespread, then hiring blacks could threaten the life of

the business itself and perhaps one's livelihood. One plausible response to this problem is to legally prohibit the use of reaction qualifications in employment when consumer reactions are based on racial animus or prejudice. Exclusion on grounds of race is insulting and unjust when it is the result of and communicates contempt for the one being excluded ([Dworkin 1985](#), ch. 14). To be fair, effective enforcement of this principle would be necessary to prevent some businesses from gaining a competitive advantage through the covert use of illicit reaction qualifications.

Finally, there is the question of *statistical discrimination*. The issue here is not about whether race in itself is a legitimate basis for differential treatment. Those who defend statistical discrimination as sometimes rational and not unjust may accept that race as such is not a relevant basis for differential treatment. But they may nevertheless think that race may be used as a *proxy* for some other characteristic (the material trait) that race highly correlates with. The material trait (e.g., being a criminal, an illegal immigrant, or a terrorist) is a morally relevant basis for differential treatment but is more difficult or costly to detect. The use of proxies in law and public policy is unavoidable and often legitimate (e.g., consider the use of age as a proxy for responsible drivers). The question is whether it is ever permissible to use a suspect category like race as a proxy, and if so, under what circumstances.<sup>5</sup>

#### IV. RESPONDING TO RACIAL INJUSTICE

Some philosophers have sought to explain and justify measures they believe to be appropriate practical responses to racial injustice and its consequences. This might

seem like a policy matter with little philosophical significance. However, the issues here are not just about which public policies for combating racial injustice are most cost-effective or politically feasible. The primary concern is with what is sometimes called *corrective justice*: the principles for determining how we should rectify injustices. Because corrective justice is a component of a full theory of justice, the question of which methods for rectifying racial injustices treat perpetrators and victims fittingly yet are fair to all concerned is a question of political philosophy.

As already noted, the modern world has seen and been shaped by the most ghastly and inhumane forms of racial domination imaginable, and despite the apparent consensus today that racism is wrong, some still suffer because of racial injustice and its historical consequences. So, in light of our discussion of racism and racial discrimination, we might say that the appropriate response to racial injustice is to abolish or reform any institution that operates on the basis of, or is otherwise distorted by, racism; to secure the civil rights and equal civic standing of all regardless of race; and to institute antidiscrimination measures, constitutional and legislative, that protect citizens from racism and unjust racial discrimination. But this is not the end of the story.

A long history of racial injustice has left the members of some racial groups severely disadvantaged with respect to wealth, income, employment, education, and political influence in their respective societies. Moreover, racist ideology has led some members of non-white groups to suffer from a sense of inferiority and self-doubt, which can negatively affect employment and educational performance and compromise self-respect. Where there are large and persistent racial disparities in

socioeconomic status, these are arguably attributable, at least in part, to the legacy of racism and racial discrimination. Even if a society were to effectively protect citizens from racial discrimination in the present, there would still be the question of how to respond to the harmful effects of these historical injustices.<sup>6</sup> Philosophers have taken at least two distinct approaches to this question.

The first is to defend the need for *reparations*. Where a serious racial injustice is recent and the direct victims and perpetrators are alive and readily identifiable, the case for reparations is relatively straightforward: If the victims were seriously harmed (physically, materially, or psychologically) by the injustice, then, by the principle of rectification, they are entitled to reparations (to be made “whole” again) from those who wronged them.<sup>7</sup> Things get more complicated when neither those who have been made worse off because of an injustice nor those who have benefitted from the injustice were direct parties to the original injustice and, indeed, may not even have been born at the time. But some think the principle of rectification still applies.

There are three influential arguments. The *harm argument* says that a past racial injustice can initiate a causal chain of harms, perhaps over many generations, down to the present and that the state (here assumed to be a continuous corporate body down to the present) that perpetrated these injustices (or failed to protect its citizens from them) would then owe reparations for the *current* harms from which the victimized race suffers ([Boxill 2003](#); [Fullinwider 2000](#); [McCarthy 2004](#)). The *unjust enrichment* argument states that when a past racial injustice disadvantages some and advantages others, the beneficiaries of the historical injustice, having been

unjustly enriched, owe reparations (or restitution) to those who have been disadvantaged by the injustice, even if these beneficiaries were not responsible for the harm caused by the injustice ([Bedau 1972](#); [McGary 1999](#), ch. 6). The *inheritance argument* says that an unrepaired past racial injustice creates a liability that attaches to the holdings of the initial perpetrators and thus to the relevant inherited portion of their heirs' holdings, regardless of whether those heirs committed any injustice themselves; and the descendants of the original victims therefore inherit their ancestors' rights to those unpaid reparations, regardless of whether these descendants have been harmed or disadvantaged by the original injustice ([Boxill 1972, 2003](#); [Thompson 2001](#)). These arguments are sometimes used in combination.<sup>8</sup>

A somewhat different (though perhaps compatible) way of responding to the harmful effects of past racial injustice is to argue that the undeserved disadvantages of members of historically oppressed racial groups should be neutralized or ameliorated. The idea is not so much to compensate for past wrongs but rather to promote fairness in the present or future. Some versions of this argument focus on resource inequities, arguing that wealth should be redistributed to make members of historically oppressed racial groups more equal to whites or more economically self-sufficient. Other versions focus on inequality of opportunity, arguing that a long history of racial injustice has unfairly handicapped members of historically oppressed racial groups in the competition for valued positions and their extrinsic rewards (e.g., income and prestige). It is therefore argued that society should take measures to eliminate these unjust socioeconomic disadvantages (e.g., through the

redistribution of wealth, income subsidies, or educational initiatives) to create a fairer (though not necessarily equal) playing field ([Goldman 1975](#); [Lyons 2004](#)). More controversially, it is argued that the members of disadvantaged racial groups should be given preference in employment over equally, or perhaps more, qualified white applicants ([Sher 1975](#); [Jacobs 2004](#), chs. 4–5; [Anderson 2010](#), ch. 7). This latter approach is often criticized on the grounds that it is a form of wrongful racial discrimination or that it violates meritocratic principles. The strength of these criticisms therefore depends on the validity of the conception of discrimination being invoked or on whether meritocratic principles are sound or inviolable. Others argue against this approach on the grounds that it unfairly imposes burdens and costs on whites not responsible for the injustices that continue to disadvantage historically oppressed racial groups.

But now let us suppose that the civil rights of all persons in society are secure, antidiscrimination measures have been enacted and are effectively enforced, reparations (if due) have been made to the victims of racial injustice, and the handicaps that reduce the competitiveness of historically oppressed racial groups have been remedied or neutralized. Still, racial stereotypes and racial prejudice may nevertheless find expression in civic and economic life, causing racial division and resentment. After all, antidiscrimination laws cannot extinguish racism; they can only deter individuals and organizations from acting on racist attitudes or provide a basis for legal remedy should one's rights be abridged because of racism. In light of this, some philosophers have argued that the state may have to take further measures to promote antiracist values and to foster racial conciliation



([Wasserstrom 1976](#); [Dworkin 1985](#), ch. 14). For instance, it may be necessary to increase the representation of historically oppressed racial groups in positions of authority and prestige to fight the negative stereotype that they are not competent to perform these roles ([Gutmann 1996](#)). To combat stereotypes and foster interracial contact and cooperation, the state may need to actively encourage, facilitate, and perhaps even mandate integration in schools and neighborhoods ([Anderson 2010](#)) to inculcate an ethos of tolerance and mutual understanding, it may be necessary to actively promote the value of racial diversity in all aspects of social life.<sup>9</sup>

## V. RACIAL IDENTITY AND COMMUNITY

It is common to hear people expressing a desire to live in a “colorblind” or “postracial” society. In one version of this vision, the good society is one in which not only has racial justice been fully realized, but an individual’s race is generally regarded as having no social or political significance whatsoever ([Wasserstrom 1976](#); [Zack 1993](#)). In this society, no one celebrates racial diversity or takes pride in racial identity. There are no institutions or private associations in which race figures in the selection of members. Race is not a consideration when forming bonds of allegiance or affection. Those who defend this vision generally view racial differences as an illusion, as unreal, or they think race, while perhaps real, is a trivial form of difference that, like hair or eye color, should be given no normative weight. We can call this vision *postracialism*. (See the article by Satz on “Gender” in this

volume for discussion of Susan Okin's parallel position on the transcendence of gender.)

Some proponents of postracialism believe that the state should aggressively promote this ideal by, say, discouraging racial self-segregation and the formation of racial identities, disseminating the message of postracialism, and refusing to recognize or support race-based private organizations. Others think postracialism is an ethical ideal worth defending and striving for but (perhaps in opposition to political perfectionism) that the stance of the state should be *tolerance* toward race-based affiliation; that is, the state should not interfere with the formation of racial identities and associations.

*Racial pluralists* reject the ideal of postracialism. They believe that racial identity and affiliation can have intrinsic value and should have a place in a good society. Although some pluralists maintain that a just state should tolerate such racial ingroup fraternity, others regard tolerance of racial group affiliation in civil society as insufficient for a just society. These latter pluralists insist that some *public recognition* of racial difference is required.

To feel the force of the pluralist vision, it is necessary to understand the conception of racial identity and group affiliation that it presupposes.<sup>10</sup> Historical context and power dynamics loom large here. If there had not been centuries of Europeans dominating and exploiting non-European peoples using the race idea to legitimate such actions, postracialism might be an appropriate stance. This history cannot be erased, however, even were its many injustices fully rectified. The victims

of white domination have often rejected the tenets of racial ideology that demean, misrepresent, and stigmatize them. Out of self-respect, they have publicly asserted their status as moral equals. But instead of discarding the race idea altogether, many have cultivated positive racial identities and racial solidarity that have enabled them to survive and to resist their oppression. Racially oppressed groups have forged and sustained distinctive traditions, values, and ideals, often refusing to assimilate fully to white norms and expectations. Historically oppressed racial groups are often proud of their collective identities and sometimes seek to celebrate them publicly. On the basis of these identities, they have formed race-based organizations and institutions for political, religious, economic, and educational purposes. Their ingroup affinity has sometimes expressed itself as a desire to live together in the same countries, regions, cities, or neighborhoods. Though “white” identity might be irredeemable and morally suspect (but see [Stubblefield 2005](#), 144–77), these non-white racial identities need not reflect racial hostility toward other racial groups. Even if racial justice were achieved, many would still want to preserve their racial identity, some forms of racial affiliation, and some race-based organizations and institutions.

Some racial pluralists claim that historically oppressed racial groups who, like some ethnic groups or national minorities, have distinctive cultural practices are entitled to public recognition of these differences and the public support needed for these practices to survive ([Young 1990](#); C. [Taylor 1994](#); [Outlaw 1996](#), ch. 6; [Alcoff 2006](#)).<sup>11</sup> Such recognition and support entail that the state must treat some racial groups differently. For instance, it may mean that some racial groups, and not

others, should be accorded some group autonomy within the larger polity. It may mean that the state should affirm the value of these racial identities. It may mean that the state should fund the educational institutions and social organizations of some racial groups and not others. It certainly requires that the state not pressure historically oppressed racial groups to assimilate to the dominant culture and perhaps that it protect these groups from the intolerance of private individuals and organizations. It may also mean that the state should require that public educational institutions teach all citizens about the history and cultures of the nation's racial minorities.

Some racial pluralists still endorse the ideal of interracial community. They insist, however, that in a multiracial society, particularly one with a history of serious racial injustice, this ideal should be understood as realized, not when one unified yet racially undifferentiated community exists but when multiple overlapping and nested race-based communities cohere on the basis of mutual respect.

## VI. CONCLUSION

What we mean, or should mean, by “racial equality” and “antiracism” is far from obvious and a deeply contested matter. Philosophers have a crucial role to play here, not so much in settling these controversial questions once and for all but in offering compelling interpretations of these values, using careful reasoning to sort through common confusions, and debunking bogus ideas that might initially seem attractive or cogent. Moreover, philosophizing about race can deepen, and perhaps alter, our

understanding of other fundamental political values, such as fairness, community, equality, and tolerance.

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1. For helpful overviews of this history, see [Mills \(1997\)](#) and [Fredrickson \(2002\)](#).
2. For additional criticisms of the principle of colorblindness, see [Gutmann \(1996\)](#), [Sundstrom \(2008, ch. 2\)](#), and [Anderson \(2010, ch. 8\)](#).
3. [Darby \(2009, ch. 4\)](#) argues that widespread assumptions about black cognitive inferiority and moral deficiencies not only threaten to attenuate blacks' rights but can affect what rights blacks actually have.
4. For discussion of this point, see [Nickel \(1972\)](#) and P. W. [Taylor \(1973\)](#).
5. For general discussion of this issue, see [Maitzen \(1991\)](#) and [Alexander \(1992, 167–73\)](#). For defenses of statistical discrimination based on race, see [Levin \(1992\)](#) and [Risse and Zeckhauser \(2004\)](#); for critiques of race-based statistical discrimination, see [Thomas \(1992\)](#), [McGary \(1999, ch. 10\)](#), and [Lever \(2005\)](#).
6. For empirical examinations of the contemporary impact of historical racial injustice in the United States, see [Brown et al. \(2003\)](#).
7. Affirmative action programs are sometimes defended as reparations or compensation for *recent* injustices (see [Thompson 1973](#); [Ezorsky 1991, ch. 4](#); [Boxill 1992, ch. 7](#); [McGary 1999, ch. 6](#)). For criticisms of the reparations approach to affirmative action, see [Sher \(1975\)](#) and [Goldman \(1975\)](#).

8. For criticisms of the idea of reparations for past racial injustice, see [Waldron \(1992\)](#), [Kershnar \(2002\)](#), and [Arthur \(2007, ch. 6\)](#).
9. For criticisms of racial diversity as a justification for differential treatment, see [Sher \(1999\)](#).
10. For detailed discussion, see [Appiah \(1996\)](#), [Outlaw \(1996\)](#), [Gooding-Williams \(1998\)](#), P. C. [Taylor \(2004\)](#), [Shelby \(2005\)](#), and [Alcoff \(2006\)](#).
11. For criticisms of this view, see [Boxill \(1992, ch. 8\)](#), [Appiah \(1996\)](#), and [Shelby \(2005, ch. 5\)](#).

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